

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JENNIFER MARY RIDDLE,

Plaintiff,

v.

MARTIN O'MALLEY, Commissioner of
Social Security,

Defendant.

Case No. 1:23-cv-00865-KJM-JDP (SS)

ORDER

On August 15, 2024, the magistrate judge filed findings and recommendations, which were served on the parties, and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. Neither party has filed objections.

The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court[.]"). Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations filed August 15, 2024, are adopted;
2. Plaintiff's motion for summary judgment, ECF No. 13, is granted;
3. The Commissioner's cross-motion for summary judgment, ECF No. 16, is denied;
4. The matter is remanded for further proceedings; and
5. The Clerk of Court is directed to enter judgment in plaintiff's favor.

DATED: October 11, 2024.



UNITED STATES DISTRICT JUDGE